

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE

**JAMES E. WARWICK AND BARBARA  
RHEA WARWICK,**

**PLAINTIFFS,**

**V.**

**RMK HIGH INCOME FUND, INC.,  
RMK STRATEGIC INCOME FUND,  
INC., RMK ADVANTAGE INCOME  
FUND, INC., RMK MULTI-SECTOR  
HIGH INCOME FUND, INC., REGIONS  
FINANCIAL CORPORATION, MK  
HOLDING, INC., MORGAN ASSET  
MANAGEMENT, INC., JAMES C.  
KELSOE, JR., CARTER E. ANTHONY,  
BRIAN B. SULLIVAN, JOSEPH  
THOMPSON WELLER, ALLEN B.  
MORGAN, AND J. KENNETH  
ALDERMAN,**

**DEFENDANTS.**

**CASE NO. 2:13-cv-02653**

**ORDER TRANSFERRING WARWICK TO JUDGE MAYS FOR COORDINATED  
OR CONSOLIDATED PRETRIAL PROCEEDINGS WITH MDL ACTION**

This matter is before the Court on Defendants Regions Financial Corporation, MK Holding, Inc., Morgan Asset Management, Inc., James C. Kelsoe, Jr., Brian B. Sullivan, Joseph Thompson Weller, Allen B. Morgan, and J. Kenneth Alderman's Motion to Transfer to Judge Mays for Coordinated or Consolidated Pretrial Proceedings with MDL Action (PACER Doc. 40). The Court finds that the Motion is due to be **GRANTED** as it appears that this action arises from similar factual allegations as those found in the previously centralized actions in MDL No. 2009 before Judge Mays – including, that plaintiffs suffered steep losses on investments in

various Regions Morgan Keegan investment funds. Moreover, the transfer is consistent with the purposes of centralization under 28 U.S.C. § 1407, including eliminating duplicative discovery, preventing inconsistent pretrial rulings, and conserving the resources of the parties, their counsel, and the judiciary.

Accordingly, pursuant to Local Rule 83.8(d), the Court **ORDERS** this action transferred to the Honorable Samuel H. Mays, Jr. for coordinated or consolidated pretrial proceedings with MDL 2009.

**IT IS SO ORDERED.**

s/ **S. Thomas Anderson**  
S. THOMAS ANDERSON  
UNITED STATES DISTRICT JUDGE

Date: October 10, 2013